

Received in the TRIAL COURTS
State of Alaska Third District
at Palmer

DEC 26 2010

Clerk of the Trial Courts

Deputy

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5 IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

6 THIRD JUDICIAL DISTRICT AT PALMER

7 DAVID BLUMHORST)
8 Plaintiff,)
9 vs.) Case No. 3PA- 19-02658 CI
10 WAL-MART STORES INC.,)
WAL-MART INC.)
11 Defendants.)
12)
13)
14)

15 COMPLAINT

16 Plaintiff David Blumhorst, by and through his attorney, The Law Office of
17 Gregory S. Parvin, states and alleges as follows:

18 JURISDICTION

19 1. Plaintiff, at all times relevant hereto, has been a Resident of the Third
20 Judicial District, in the State of Alaska.

21 2. Defendant, at all times relevant hereto, is a licensed corporation, in good
standing, doing business in the Third Judicial Superior, State of Alaska.

22 3. Defendant owns real property at 1350 S Seward Meridian Parkway in
Wasilla, Alaska.

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1 4. The Superior Court at Palmer, Alaska, is the Proper venue holding
2 personal and subject matter jurisdiction of this action.
3

4 **GENERAL ALLEGATIONS**
5

6 1. On or about January 4, 2018, Plaintiff was on the premises of the Wal-Mart
7 store at 1350 S Seward Meridian Parkway in Wasilla, Alaska.
8 2. Plaintiff walked onto a common pathway and primary means of ingress and
9 egress to the building's entrance area.
10 3. Unknown to Plaintiff, the common area included an area of ice that had not
11 been cleared.
12 4. The icy common area was a hazard.
13 5. Plaintiff slipped and fell on untreated ice.
14 6. As a result of the fall, Plaintiff suffered serious, permanent injuries and
15 required surgical repair.
16

17 **First Cause of Action: Negligence**
18

19 7. Defendant had a duty to maintain the safety of customers and act in a safe and
20 reasonable manner.
21 8. Defendant breached their duty owed to Plaintiff and others who might be
22 similarly situated, by failing to keep the premises safe from known hazards in
23 its walkways and entryways.
24 9. As a direct and proximate result of defendant's negligence, plaintiff suffered
25 personal injury both special and general in nature.
26 10. The harm caused by defendant's breach was foreseeable.
27

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1 11. Plaintiff suffered general damages and special damages, including past and
2 future medical expenses.

3 12. Plaintiff's damages are past, present and reasonably likely to continue in the
4 future. The exact amount will be proven at trial.

5 WHEREFORE, Plaintiff requests the following relief:

6 1. That Plaintiff prevail on his cause of action;
7 2. A money judgment in favor of plaintiff against the defendant for his general and
8 special damages in an amount to be proven at trial;
9 3. For a judgment of costs, interest and attorney fees necessarily incurred in
10 pursuing this claim;
11 4. For whatever other relief this court deems proper and just.

12 Signed this 26 day of December, 2019 at Wasilla, Alaska.

13 LAW OFFICE OF GREGORY S. PARVIN

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15 _____
16 Gregory S. Parvin
17 AK Bar No. 9809044